

REMARKS

The foregoing amendment is submitted to more clearly set forth the claimed invention and to highlight the differences between the claimed invention and the prior art of record in the present application. Reconsideration of the present application in light of the amendment and the following remarks is deemed proper and is respectfully requested.

The amendments to claims 1 and 13 provide that the grippers of the gripping assembly engage the scouring device in a manner so that operative engagement is maintained during the time a force is applied to the scouring device during the scouring or cleaning of a utensil.

As shown best in Figure 5 of the present application, the holder for the scouring device secures the scouring device thereto through the gripping assembly. As indicated at page 7, lines 13-17, when the holder is secured to the scouring device as shown in Figure 5, the user maintains contact with the holder by the fingers which rest against the respective central portions of the holder. The user is thereby able to exert a force on the scouring device to provide enough cleaning action to clean utensils such as pots and pans, especially those with baked on hard to clean food items. In order for the present holder to be operational, it necessarily follows that the scouring device (e.g. steel wool pad) is maintained in operative contact with the holder during the entire cleaning or scouring operation. As indicated beginning at page 7, line 18, it is only when the cleaning or scouring operation is

completed that the user may then remove the scouring device from the holder by applying inwardly directed pressure to the respective center portions thereby bringing the gripping portions once again closer to each other. The teeth of the gripping portion are then disengaged from the strands of the scouring device thus releasing the scouring device from contact with the holder.

The amendments to claims 1 and 13 more particularly describe the engagement of the scouring device by the grippers and particularly that the engagement is in such a manner that the scouring device may clean or scour a utensil while being retained in operative engagement by the grippers during the scouring or cleaning operation. Thus, the structure of the teeth including the number and design of the same must be selected to insure that the teeth remain in operative contact with the scouring device during the pressure applied to the scouring device during the cleaning operation. It is respectfully submitted that the language added to claims 1 and 13 is supported in the application as described above and entry thereof is deemed proper and is respectfully requested.

Claims 1, 2, 4-10 and 12-13 stand rejected as obvious over French Patent No. 711,452 in view of Shin (U.S. Patent No. 209,989). The French patent is stated to show several embodiments of holders for scouring devices. The Office Action recognizes that the reference does not show teeth which move in unison to enter the scouring pad at the same time as required in the present claims. Shin is stated to teach a gun cartridge extractor wherein opposing gripping means are biased outwardly after inward pressure on the legs is released to grip an article. The Office

Action concludes that it would have been obvious to a person having ordinary skill in the art to form the outwardly directed gripping means of the French patent with a simple actuating means similar to that shown in Shin so that the user could easily control the release of a used scouring pad with only slight inward pressure. The rejection is hereby traversed and reconsideration is respectfully requested.

Shin is directed to a gun cartridge extractor which is useful to remove cartridge shells when they are stuck in the barrel of a gun. With regard to Figure 1, the legs A and B have jaws D and E with teeth F and G at one end thereof. As shown in Figure 3, the legs A and B are pushed towards each other so that the legs can enter the cartridge shell and then the jaws are released so that they spread apart enabling the teeth F and G to cut into the shell to provide gripping contact. The cartridge extractor is pulled from the gun barrel while remaining in gripping contact with the cartridge shell. However, the cartridge extractor shown in Shin does not teach operative engagement of the gripping teeth to a scouring device during the entire scouring or cleaning operation of a utensil as required in the present claims nor is it designed to do so.

This is apparent from the particular structure of the cartridge extractor as shown in Figure 1 of Shin. More specifically, if a scouring device (instead of a cartridge) were engaged by the jaws D and E, there would be a gripping engagement, but not in a manner which would enable the cartridge extractor to retain the scouring device during a scouring or cleaning operation. During the typical scouring or cleaning operation, the user will apply a downward force on the scouring

device to apply pressure on the utensil and then a lateral force to carry out the actual scrubbing operation on the utensil. The downward and then lateral forces are not employed when using the Shin device nor is the Shin device constructed for this type of operation. Instead, an upward force is only applied to the cartridge extractor to
5 remove the same from the gun barrel. There is no lateral force applied to shell as would be required for the presently claimed device.

The amount and various directions of the force applied when using the presently claimed holder, if applied to the Shin device would make it difficult if not
10 impossible to maintain gripping engagement of the scouring device with the gripping assembly. Indeed, the cartridge extractor taught by Shin once engaging the inside of the cartridge shell is only designed for movement in a straight line to withdraw the cartridge shell out of the gun barrel. It is apparent that the gripping assembly provided by the Shin cartridge extractor can not structurally engage a scouring
15 device and maintain contact with the scouring device during a cleaning or scouring operation which requires the application of significant force in a variety of different directions all of which place extreme tension at the point of contact between the grippers and the scouring device. The Shin cartridge extractor would almost immediately disengage from the scouring device because the application of force in
20 different directions during the scouring operation would cause the relatively small gripping assembly to disengage from the scouring device because it could not maintain operative contact.

Accordingly, one of ordinary skill in the art would not combine the French patent and Shin to arrive at the claimed invention. Even assuming arguendo that one of ordinary skill in the art would look to cartridge extractors for assistance in creating a holder for a scouring device, one of ordinary skill in the art would not employ the cartridge extractor of Shin because the skilled artisan would recognize that the gripping assembly of Shin is ill equipped to engage a scouring device and maintain operative contact during a scouring or cleaning operation. Accordingly, it is respectfully submitted that the combination of the French patent and Shin does not lead one of ordinary skilled in the art to the claimed invention.

Claim 3 stands rejected as unpatentable over the French Patent in view of Shin further in view of German Patent No. 3530401. The rejection is hereby traversed and reconsideration is respectfully requested.

The disclosure in the German Patent of a pad holder including a plurality of hook-shaped gripping means for engaging a pad does not cure the deficiencies of the primary references. The German Patent like the French Patent and Shin do not teach or suggest a holder for a scouring device in which a gripping assembly is provided which not only grips the scouring device but maintains operative gripping engagement with the scouring device during a scouring and cleaning operation. Accordingly, the rejection of claim 3 on the combination of references mentioned above is deemed improper and withdrawal of the same is respectfully requested.

Claim 11 stands rejected as obvious over the combination of the French Patent, Shin and Milano (U.S. Patent No. 4,877,280). Milano is stated to show a holding device operated by a user's finger comprising a pair of opposed legs each having a textured surface for enhancing a user's grip. The rejection is hereby
5 traversed and reconsideration is respectfully requested.

Milano does not teach or suggest a holder for a scouring device in which the gripping assembly maintains operative contact during the scouring cleaning operation. To the contrary, Milano is directed to a paper pick up device and not to
10 any type of device having a structure which is capable of performing the function of the present invention which is to provide a safe and effective means of employing a scouring device to scour or clean a utensil. It is therefore submitted that the rejection of claim 11 is improper and withdrawal of the same is respectfully requested.

15 Applicants have enclosed herewith corrected drawings as approved by the Examiner. Entry of the corrected drawings is therefore deemed proper and is respectfully requested.

In view of the foregoing, Applicants submit that the present application is in
20 condition for allowance and early passage to issue is therefore deemed proper and is respectfully requested.

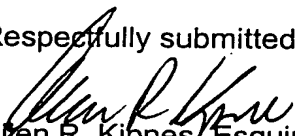
It is believed that no fee is due in connection with this amendment. However,
if any fee is due, it should be charged to Deposit Account No. 23-0510.

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Respectfully submitted,


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